

Otay Ranch

Preserve Owner/Manager (POM)
Policy Committee Meeting
July 17, 2008

Agenda

- I. Call To Order
- **II.** Approval of Meeting Minutes
- III. Public Comment on items not related to Agenda
- **IV.** Status Reports
- V. Policy Decision Issues
- VI. Long-Term Implementation Program
- VII. Finance
- **VIII. Next Policy Committee Meeting**
- IX. Adjournment

IV.A.1 Status of Otay Ranch Projects

County of San Diego

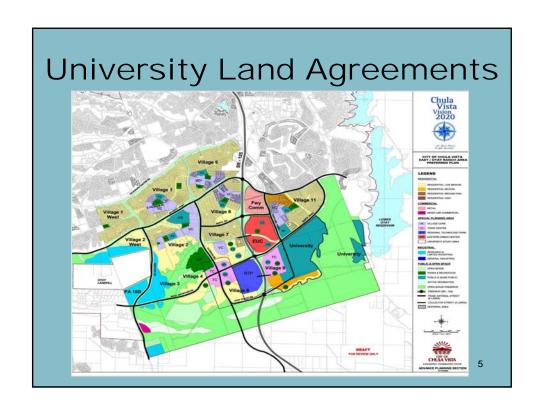
- Adoption of Phase 2 RMP and Preserve Boundary
 - Modifications (Board Policy I-109 Otay Ranch document amendment initiated by County)
 - Anticipated to be presented to the Planning Commission and Board of Supervisors for their consideration by late Fall/early Winter
- Village 13 (initiated by Otay Ranch Company)
 - Extension of time granted by DPLU for next submittal to end of September
 - Time extension would extend project into 2009
- Wolf Canyon IOD Vacation/Replacement (initiated by Otay Project L.P.)
 - County staff has requested final revisions be made to documents
 - Future infrastructure provision to be considered today
 - Hearing dates to be coordinated between jurisdictions, anticipated Board of Supervisors hearings late Fall

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IV.A.2 Status of Otay Ranch Projects (cont'd)

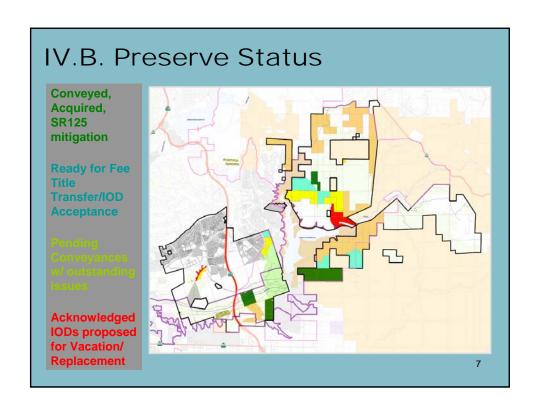
City of Chula Vista

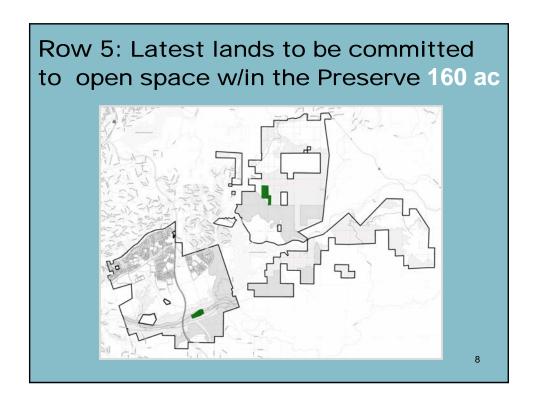
- Championship Off-Road Racing (CORR) (initiated by XR Promotions)
- Wolf Canyon IOD Vacation/Replacement (initiated by Otay Project L.P.)
- University Agreements
 - Otay Land Company Agreement adopted 4/15/08
 - JPB Agreement adopted 5/20/08

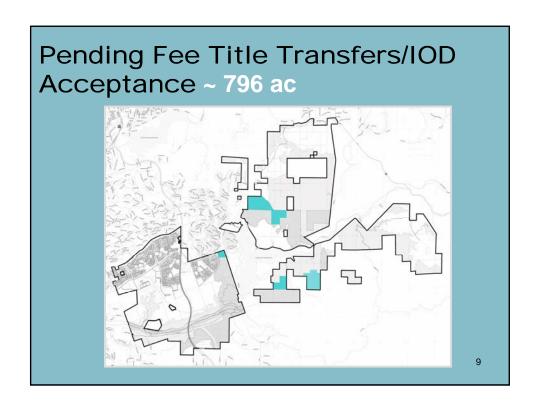


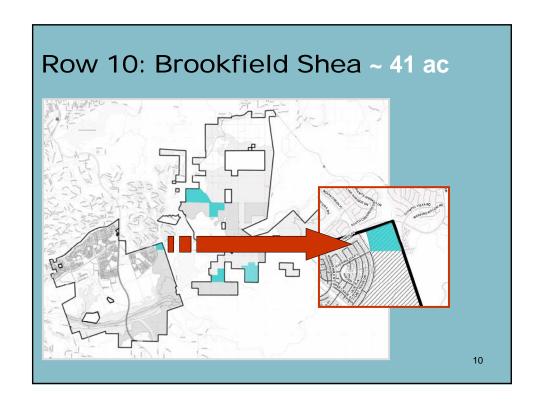
IV.A. Status of Otay Ranch Projects (cont'd)

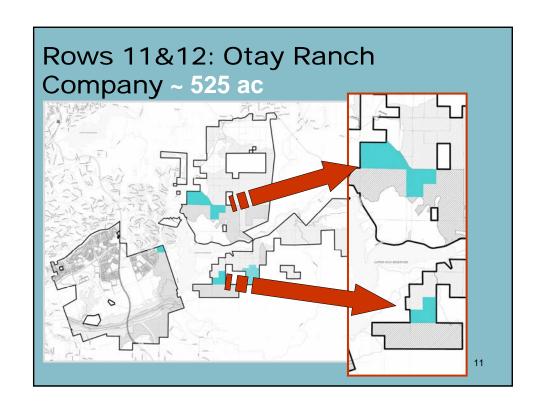
County & City of Chula Vista • Eastern OVRP Trails Coordination

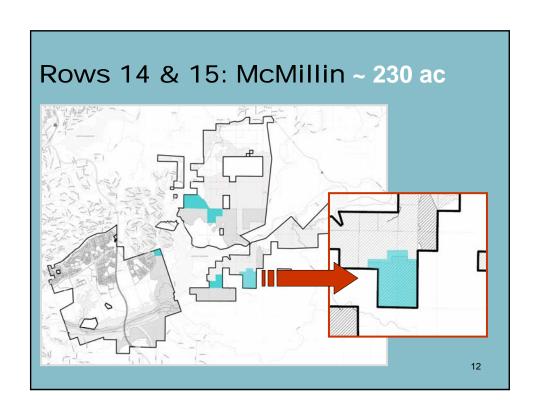


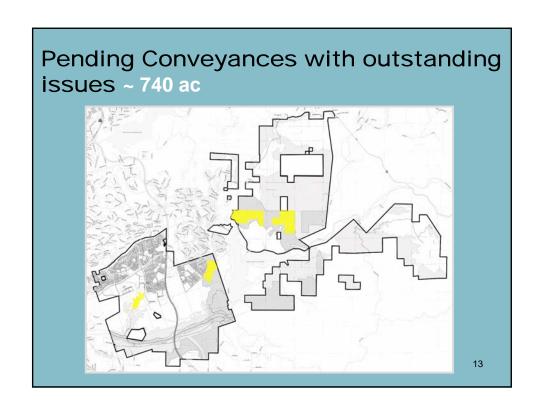


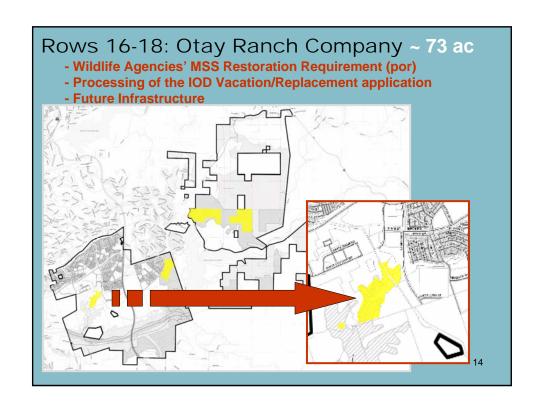


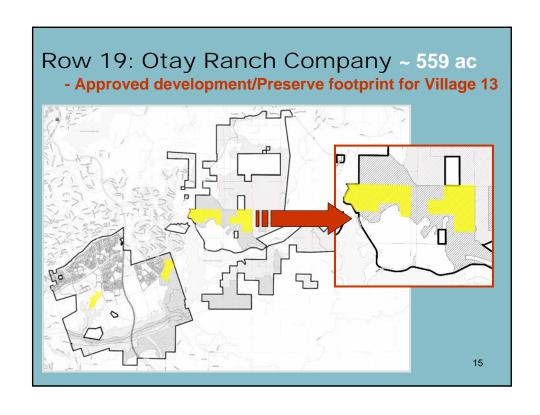


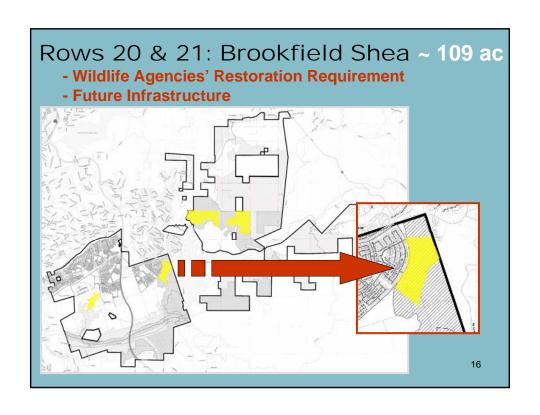












V. Policy Decisions

Per PMT direction, propose a Dispute Resolution Process

- Dispute resolution process could include Non-binding mediation through a neutral third party
- On-going discussions will occur between POM staff and legal staff

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V.A. Future Infrastructure

Background:

- Infrastructure can be found to be a compatible use within the Preserve per Policy 6.6 of Phase I RMP and Section 6 of the City's MSCP Subarea Plan
- Examples of Infrastructure Facilities:
 - Per City's MSCP Table 6-2: Storm drain & flood control/detention facilities, desilting & sedimentation basins, extensions of electric &/or gas utility services to individual services, fire access roads, brush management roads, maintenance & operations roads, and new trails
- Definition of Future Infrastructure:
 - Facilities that are necessary to support City services or planned development in the future and are not specifically listed in the Chula Vista MSCP Subarea Plan as a Planned Facility
- On 02/12/07 Policy Committee approved IOD/Fee Title language regarding:
 - Existing Infrastructure
 - Planned Infrastructure
 - Substitution of conveyance land

V.A. Future Infrastructure (cont'd)

County Staff Recommendation:

- Staff recommends that siting of future infrastructure, i.e. not existing or described, as a "Planned Facility" in the Chula Vista MSCP should be processed on a case-by-case basis.
- Conveyance documents (title deed or IOD) shall not reference the siting of future infrastructure.
- If there is a proposal to site infrastructure within Preserve areas, the
 person/entity seeking such approval shall request the location of the
 easement from the POM, who is granted the authority to allow such
 siting when deemed appropriate.

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V.A. Future Infrastructure (cont'd)

City Staff Recommendation:

- Future infrastructure is subject to review and comment by the POM and the approval by the appropriate jurisdiction
- Conveyance documents should recognize Future Facilities shall be sited pursuant to City's MSCP Siting Criteria

V.A. Future Infrastructure (cont'd)

City Staff Recommendation (cont'd):

- Implement the following process that allows the POM to review and comment the siting of future infrastructure:
 - The POM staff shall be provided time to review the proposed siting of infrastructure to determine compliance with City's MSCP siting criteria.
 - The City and County shall be provided reasonable time to review and comment on the siting of any proposed future infrastructure in either jurisdictions' boundaries. The jurisdiction in which the proposed infrastructure is to be located shall consider recommendations made by the other jurisdiction and POM staff.
 - If decision-making entity does not agree with POM staff or the other jurisdiction, the issue will be forwarded to the PMT and PC for discussion
 - The process also includes Wildlife Agency review and oversight during the CEQA public review period
- The jurisdiction in which the infrastructure is located shall have the final decision-making authority

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V.B. Non-Otay Ranch Project Mitigation Land Program

During public review period, written comments were received from:

- The Wildlife Agencies on 02/29
- McMillin Companies on 03/06
- City of Chula Vista on 03/26
- South Bay Expressway on 04/21
- Otay Land Company on 04/23

V.B. Non-Otay Ranch Project Mitigation Land Program (cont'd)

Eligibility Criteria

- Located within the Otay Ranch Preserve boundary
- Must be associated with a project within the City or the County's jurisdiction
- Cost Analysis
- Funding must be in the form of a CFD
- Land Management Standards
- Land is free of environmental contamination liabilities
- · Legal and physical access
- · Site is free of encumbrances

Added consideration for further discussion:

 POM to consider management of lands not contiguous with Preserve if developer provides funding in excess of estimated management costs

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V.B. Non-Otay Ranch Project Mitigation Land Program (cont'd)

Review Criteria

Adjacency to land currently being managed by the POM

Title

Land would be accepted in fee title in accordance with the requirements of this Program

Eligibility Determination

Policy Committee will have the final decision-making authority on eligibility determination

V.B. Non-Otay Ranch Project Mitigation Land Program (cont'd)

Recommendation:

Approve Eligibility and Review Criteria for the Non-Otay Ranch Project Mitigation Lands Program.

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VI. Long-Term Implementation Program

- Program revised based on comments received
- Working Group

Meeting Dates:

- 04/18/08
- 05/13/08
- 05/23/08 (fieldtrip)
- 05/30/08

Discussions included:

- POM Responsibilities
- Allowed uses of CFD 97-2 funds
- FY08-09 Budget
- Prioritization of tasks

VII. Finance

• Update on FY07-08 Budget

Actual Special Tax Levy for FY 2007/08 = \$382,623

Actual Revenue Collected for FY 2007/08 = \$360,126

Estimated Expenditures for FY 2007/08 = \$305,720

Beginning FY2008/09 Reserves = \$354,875

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VII. Finance

• Estimated FY08-09 Budget

- Administrative Costs
- Preserve Operations and Maintenance
- Resource Monitoring Program
- \$505,500 to be levied
- Budget Total for FY08/09 \$565,500

Task	Projected Expenditures
Administration	
CFD Consultant	\$18,000
City Staff/County Staff Time	
City Staff	
Environmental Manager	\$20,800
Engineering	\$15,000
Counsel	\$5,000
County Staff	
DPR Staff	\$52,456
Counsel	\$4,496
General Services	\$2,748
Administration Total	\$118,500
Preserve Operation and Maintenance	
County Seasonal Park Attendant ¹	\$36,000
Preserve Equipment and Improvements	
Fence Maintenance	\$3,000
Minor Equipment, i.e. Hand/Power Tools	\$5,000
Signs	\$3,000
Preserve Operation and Maintenance Total	\$47,000
Resource Monitoring Program	
Biological Resources: Expanded/Enhanced Baseline	\$100,000
Survey OR Active Management ²	\$100,000
Biological Resources: On-Going Surveys ³	\$65,000
Resource Monitoring Program Total	\$165,000
SUB TOTAL FY08-09 (Admin, Maint, and	
Monitoring)	\$330,500
ONE-TIME COSTS FOR BASELINE SURVEYS IF AD	DDITIONAL
ANDS ARE CONVEYED TO THE POM IN FY08-09	
Baseline Survey ^a	\$175,000
TOTAL IF ADDITIONAL LANDS ARE	
CONVEYED TO THE POM IN FY08-09	\$505,500
Biological Resource Baseline Surveys not	
	\$60,000
	300,000
completed in FY 07-08 (funding from levy of FY07-	
	\$565,500

VII. Finance

Working Group Discussion

- Allowed Uses of CFD 97-2
- Prioritization of Management Tasks
- Follow-up with
 Stakeholders pending
 CFD language review

	Projecte
Гask	Expenditure
Administration	
CFD Consultant	\$18,00
City Staff/County Staff Time	•
City Staff	
Environmental Manager	\$20,80
Engineering	\$15,00
Counsel	\$5,00
County Staff	
DPR Staff	\$52,45
Counsel	\$4,49
General Services	\$2,74
Administration Total	\$118,50
Preserve Operation and Maintenance	
County Seasonal Park Attendant ¹	\$36,00
Preserve Equipment and Improvements	
Fence Maintenance	\$3,00
Minor Equipment, i.e. Hand/Power Tools	\$5,00
Signs	\$3,00
Preserve Operation and Maintenance Total Resource Management Program	\$47,00
Resource Management Program	
Restoration with Salt Creek (Cactus Wren)	\$125,00
Gates	\$50,00
Weed Eradication	\$50,00
Allocation not determined	\$115,00
Resource Management Program Total	\$340,00
FY 08-09 Budget	\$505,50
Biological Resource Baseline Surveys not completed in FY 07-08	
(funding from levy of FY07-08, \$50k paid in FY07-08)	\$60,00
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GRAND TOTAL	\$565,50
ESTIMATED BUDGET FOR FY08-09	\$565,50

VII. Finance (cont'd)

Resolution # 19110 states:

"The monitoring, maintenance, operation and management of public property in which the City has a property interest and which conforms to the requirements of the Ordinance or private property within the Otay Ranch Preserve which is required by the POM to be maintained as open space or for habitat maintenance or both....Such services shall not include the maintenance, operation and/or management of any property owned, maintained, operated and/or managed by the federal and/or state government as open space and/or for habitat maintenance."

VII. Finance (cont'd)

Special Tax Report for CFD 97-2:

"The proposed services include all direct, administrative, and incidental annual costs and expenses related to the maintenance, operation and management of public or private property required by the POM to be maintained within the Otay Ranch Preserve as open space or habitat preservation or both."

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IX. Next Policy Committee Meeting

Thursday, October 30th

2:00 – 5:00 pm County Administration Center, Tower 7 1600 Pacific Highway San Diego, CA 92101